

S.B.Civil Second Appeal No.93/1993.

Hanuman.

vs.

Poonam Chand.

Date : 10.4.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr. RR Nagori, for the appellant.

Mr. JK Bhaiya, for the respondent.

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An application has been filed on behalf of the respondent on 29.4.2006 that the sole appellant expired on 21.7.2005. Learned counsel for the appellant submits that he received the copy on 12.2.2007 and he wrote letter to the appellant because he was having address of the appellant only and that he had no knowledge of any of the legal representatives of the appellant but nobody has come on behalf of the appellant.

Since the learned counsel for the respondent has informed that the sole appellant died on 21.7.2005, application has been filed on 29.4.2006 and further copy of application was delivered to learned counsel for the appellant in February, 2007 and he wrote letter

in the name of the appellant (deceased) and even after more than one month, no steps have been taken by any of the legal representatives of the appellant for coming on record, therefore, this second appeal is hereby dismissed as having abated.

(PRAKASH TATIA), J.

S.Phophaliya